


BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NOS. 94-051-W & 97-011-W - ORDER NO. 97-170 

MARCH 5, 1997

IN RE: Docket No. 94-051-W - Complaints of)	ORDER GRANTING
the Customers of Gauley Falls Water)	MOTION TO DISMISS
System.)	
)	
AND)	
)	
Docket No. 97-011-W - Adequacy and)	
Sufficiency of Service Provided by)	
Gauley Falls Water System.)	
)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion to Dismiss filed by Gauley Falls Development Corporation, Inc. (Gauley Falls), Ray Haskett (Haskett), Piedmont Water Company, Inc. (Piedmont), and Thomas Sutton (Sutton) (collectively the Respondents) for the matters to be dismissed, without prejudice. The Respondents have stated that these matters were originally instituted by this Commission in order to determine whether the Respondents were providing water service to the Gauley Falls Resort Development that met minimum standards of the Commission and the South Carolina Department of Health and Environmental Control (DHEC). According to the Motion, the Respondents have worked diligently over the past three to four months to ensure that the Gauley Falls Water System meets or exceeds all applicable DHEC and Commission

service requirements. Attached to the Motion of the Respondents is a letter from the Enforcement Division of DHEC confirming that the system has been inspected by DHEC personnel on February 14, 1997, and that the system now meets all DHEC requirements.

Further, beginning on February 15, 1997, the Respondents contracted with Upstate Water Resources, through its President, Larry Schmidt to monitor and maintain the system and act as a 24 hour contact point for all Gauley Falls water customers. According to the Motion, the Respondents are moving forward with a tentative agreement to transfer the facility and its operations to Upstate Water Resources. Since no rates have ever been established for this system, a prerequisite to that transfer will be the establishment of rates and charges for the system by this Commission. The Respondents state that a dismissal of the current proceedings will best serve the interests of all concerned, as it will allow the Respondents to direct their limited financial resources towards the establishment of rates and orderly transfer of the facility to Upstate Water Resources. Accordingly, the Respondents request that the Commission dismiss the two proceedings.


The Commission has examined this matter, and agrees that the Respondents have made great progress towards a resolution of the problems with the Gauley Falls system. Further, the Commission agrees with the proposition that the limited resources of the Respondents should be spent towards the establishment of rates and orderly transfer of the facility to Upstate Water Resources.

Accordingly, the complaint of the customers of the Gauley Falls water system is hereby dismissed. The hearings in these matters are cancelled, and the Dockets shall be closed.

It should be noted that all of these actions are taken without prejudice to the rights of any parties to this case or any residents to the Gauley Falls area.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)